

1 Pursuant to Civil Local Rule 7-12, the parties, by and through their respective
2 undersigned counsel of record, hereby stipulate and agree, subject to this Court's approval, as
3 follows:

4 WHEREAS, on August 15, 2011, Plaintiffs Uelian De Abadia-Peixoto, Esmar Cifuentes,
5 Pedro Nolasco Jose and Mi Lian Wei ("Named Plaintiffs") filed their class action civil rights
6 complaint for injunctive and declaratory relief against Defendants United States Department of
7 Homeland Security ("DHS"); Janet Napolitano, Secretary of DHS; United States Immigration
8 and Customs Enforcement ("ICE"); John T. Morton, Director of ICE; Timothy Aitken, Field
9 Office Director of the San Francisco District of ICE; Eric H. Holder, Jr., United States Attorney
10 General; the Executive Office for Immigration Review ("EOIR"), and Juan P. Osuna, Director of
11 EOIR (collectively, "Defendants") (Dkt. No. 1);

12 WHEREAS, on December 23, 2011, after considering the parties' briefing, the Court
13 denied Defendants' motion to dismiss and certified Plaintiffs' class consisting of all current and
14 future adult immigration detainees who have or will have proceedings in immigration court in
15 San Francisco, with Named Plaintiffs serving as class representatives (Dkt. No. 52);

16 WHEREAS, in July 2013, ICE Director John T. Morton resigned as Director of ICE, and
17 in August 2013, John Sandweg became the Acting Director of ICE;

18 WHEREAS, on September 6, 2013, Rand Beers became the Acting Secretary of DHS,
19 replacing Secretary Janet Napolitano;

20 WHEREAS, on November 6, 2013, the parties filed a joint stipulation and proposed order
21 to continue their case management conference from November 14, 2013 to February 13, 2014,
22 explaining that the parties were in the final stages of negotiating a potential resolution to this
23 action and expected that a further settlement conference with Magistrate Judge Laurel Beeler
24 would be held on November 18 or 20, 2013, if they were unable to reach agreement before that
25 time (Dkt. No. 191);

26 WHEREAS, on November 7, 2013, the Court continued the parties' case management
27 conference from November 14, 2013 to February 13, 2014 (Dkt. No. 192);

28

1. Plaintiffs will file the unopposed Motion on or before December 19, 2013.
2. The Motion shall be heard on January 23, 2014, or such later date as is convenient to the Court.
3. Pursuant to Fed. R. Civ. P. 25(d), John Sandweg and Rand Beers shall be substituted for Defendants John T. Morton and Janet Napolitano in this action, and the caption in this action shall be styled as follows to reflect the aforementioned substitution:

16	UELIAN DE ABADIA-PEIXOTO, <i>et al.</i> ,)	Case No.: 3:11-cv-4001 RS
17	Plaintiffs,)	
18	v.)	<u>CLASS ACTION</u>
19	UNITED STATES DEPARTMENT OF)	
20	HOMELAND SECURITY, RAND BEERS,)	
21	Acting Secretary of the United States Department)	
22	of Homeland Security, UNITED STATES)	
23	IMMIGRATION AND CUSTOMS)	
24	ENFORCEMENT, JOHN SANDWEG, Acting)	
25	Director of U.S. Immigration and Customs)	
26	Enforcement, TIMOTHY AITKEN, Field Office)	
27	Director of the San Francisco District of U.S.)	
	Immigration and Customs Enforcement, ERIC H.)	
	HOLDER, JR., United States Attorney General,)	
	THE EXECUTIVE OFFICE FOR)	
	IMMIGRATION REVIEW, and JUAN P.)	
	OSUNA, Director of the Executive Office for)	
	Immigration Review,)	
	Defendants.)	

1 Dated: November 22, 2013

Respectfully submitted,

2 By: /s/ Catherine E. Moreno
3 Catherine E. Moreno

4 WILSON SONSINI GOODRICH & ROSATI
5 *Professional Corporation*
6 David J. Berger
7 Thomas J. Martin
8 Angie Young Kim
9 Savith S. Iyengar
10 Briza Sanchez

11 LAWYERS' COMMITTEE FOR CIVIL
12 RIGHTS
13 Paul Chavez

14 AMERICAN CIVIL LIBERTIES UNION
15 FOUNDATION OF NORTHERN
16 CALIFORNIA, INC.
17 Julia Harumi Mass
18 Alan L. Schlosser

19 *Attorneys for Plaintiffs*

20 Dated: November 22, 2013

21 By: /s/ Erez Reuveni
22 Erez Reuveni

23 Trial Attorney
24 U.S. Department of Justice
25 P.O. Box 868, Ben Franklin Station
26 Washington, DC 20044
27 Telephone: (202) 305-0899
28 Facsimile (202) 616-8962
Email: eretz.r.reuveni@usdoj.gov

STUART F. DELERY
Assistant Attorney General
Civil Division

DAVID J. KLINE
Director
Office of Immigration Litigation
District Court Section

Attorneys for Defendants

SIGNATURE ATTESTATION

I, Savith S. Iyengar, attest that I obtained the concurrence of Catherine E. Moreno and Erez Reuveni in filing this document. I declare under penalty of the laws of the United States that the foregoing is true and correct.

Executed this 22nd day of November, 2013 in San Francisco, California.

/s/ Savith S. Iyengar

Savith S. Iyengar

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/25/13



Honorable Richard Seeborg
United States District Judge